



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/824,590 | 04/03/2001 | Takahiro Imada | K-1970 |

KANESAKA & TAKEUCHI
1423 POWHATAN STREET
ALEXANDRIA, VA 22314



CONFIRMATION NO. 8697

FORMALITIES LETTER



OC000000006067329

Date Mailed: 05/11/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 490 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 620.

*A copy of this notice **MUST** be returned with the reply.*

MTB
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

02/01/2001 MAILTEL 00000031 03224570

01 FC:101
02 FC:102
03 FC:103

710.00 00
01.00 00
120.00 00

SECRET
N #3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

K-1970

Applicant : Takahiro Imada et al
Title : SYMBIOTIC FUNGUS, PLANTS INTO WHICH A SYMBIOTIC
FUNGUS IS ARTIFICIALLY INTRODUCED, AND METHOD OF
INTRODUCING SYMBIOTIC FUNGUS INTO PLANTS
Serial No. : 09/824,590
Filed : April 3, 2001
Group Art Unit : 1661
Examiner :

Hon. Commissioner of Patents and Trademarks
Washington, D. C. 20231

May 31, 2001

SUBMISSION OF DECLARATION

Sir:

Submitted herewith is a declaration signed by the inventors together with NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION FILING DATE GRANTED.

In the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION FILING DATE GRANTED, it was requested to pay the basic filing fee of \$490.00, which is a plant filing fee. The invention relates to symbiotic fungi, which is artificially introduced into plants. Therefore, the invention is directed to a regular patent, not plant patent. Please review the case.

In view of the above situation, a check in the amount of \$920.00 is enclosed for filing fee (\$710.00), one additional independent claim (\$80.00) and surcharge for late filing of a declaration (\$130.00).

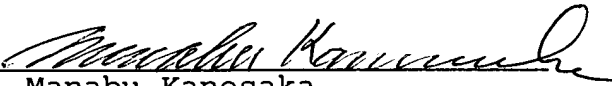
Please charge any further filing fee, extension fee under 37 CFR 1.17(a), (b), (c) and (d) and other fee in prosecuting the application (except issue fee) in connection with this application to Deposit



Account No. 11-0219.

Respectfully submitted,

KANESAKA AND TAKEUCHI

by 
Manabu Kanesaka
Reg. No. 31,467
Agent for Applicants

1423 Powhatan Street
Alexandria, Virginia 22314
(703) 519-9785